

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MALEK KALID PTAH,

Plaintiff,

v.

FRANKE BERGER, *et al.*,

Defendants.

CASE NO. 2:24-cv-00252-RAJ-DWC

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Plaintiff's claims barred by the Supreme Court's decision in *Heck v. Humphrey*, 512 U.S. 477, 487 (1994) and are therefore dismissed without prejudice.
- (3) Additionally, Plaintiff's IFP Motion (Dkt. 6) is denied as moot.
- (4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants, and to the Hon. David W. Christel.

**DATED** this 7th day of June, 2024.



The Honorable Richard A. Jones  
United States District Judge